

**07 CV 1223****UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK****JUDGE RAKOFF**-----X  
STX PAN OCEAN CO., LTD.,

Plaintiff,

- against -

BONYAD SHIPPING CO.,

Defendant.  
-----X

Index No. \_\_\_\_\_

**EX PARTE ORDER  
AUTHORIZING ISSUANCE  
OF A PROCESS OF  
MARITIME ATTACHMENT  
AND GARNISHMENT**

**WHEREAS**, upon the review of the Verified Complaint, it appears that Plaintiff STX Pan Ocean Co., Ltd. has alleged an admiralty or maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and that Plaintiff has demonstrated that Defendant Bonyad Shipping Co. is not found within the District and has, therefore, complied with the requirements of Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure;

**NOW THEREFORE**, upon the motion of Nicoletti Hornig Campise & Sweeney, attorneys for Plaintiff, it is

**ORDERED** that Process of Maritime Attachment and Garnishment against Defendant Bonyad Shipping Co. be issued forthwith by the Clerk of the Court for seizure of all assets of the Defendant as described therein in the possession, custody, or control of, or moving through the banking institution garnishees named therein in the amount of \$2,541,951.70 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

**ORDERED** that any person claiming an interest in the property attached or garnished pursuant to said order shall, upon application to the Court, be entitled to a prompt

hearing at which the Plaintiff shall be required to show cause why the attachment and a garnishment should not be vacated or other relief granted; and it is further

**ORDERED** that supplemental process enforcing the Court's Order may be issued and served without further Order of the Court; and it is further

**ORDERED** that pursuant to Rule 4(c)(1) of the Federal Rules of Civil Procedure that the Process of Maritime Attachment and Garnishment may be served by any person, who is not less than 18 years old, and who is not a party to this action; and it is further

**ORDERED** that following initial service upon any garnishee, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

**ORDERED** that service on any garnishee herein is deemed to be effective and continuous service throughout the remainder of the day upon which such service is made commencing from the time of such service through the opening of the garnishee's business the next business day; and it is further

**ORDERED** that pursuant to Federal Rules of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means, and it is further

**ORDERED** that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: February 20, 2007

  
UNITED STATES DISTRICT JUDGE